



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CARMINE P. AMELIO, et al,

Plaintiffs,

- against -

GALIA HOURI, EYAL RONEN, et al,

Defendants.
-----X

22-CV-975 (JPC) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Plaintiffs' motion for reconsideration (Dkt. 69) is denied. Service of a summons must be made within 90 days of service of the complaint, which period the court must extend for good cause for an appropriate period. Fed. R. Civ. P. 4(m). Ms. Hess was first named as a defendant in the Third Amended Complaint filed on June 16, 2023. (Dkt. 25.) The 90-day period for service expired on or about September 16, 2023. The Court previously has granted extensions of the time to serve Ms. Hess, including most recently until November 17, 2023. (Dkt. 65.) It is Plaintiffs' responsibility to see that a summons issues and is served within the requisite time. Plaintiffs have failed to do so despite extended time having been granted and despite the Court's warning in the last extension that there would be no further extensions. (*Id.*)

The Court has not, as Plaintiffs assert, ignored medical issues or any other relevant facts. As Plaintiffs indicate, they have more than 20 legal cases, and it is their responsibility to prioritize matters and comply with their obligations. At bottom, this case has languished due to Plaintiffs' failure to effect service at the outset and Plaintiffs' repeated addition of defendants without regard to the merits. Indeed, Plaintiffs' motion for reconsideration states that they "had agreed to withdraw defendant May Hess, without

prejudice, not knowing the extent of her involvement without discovery,” of which there has been none to date. (Dkt. 69 at p. 2, ¶ 11(2)(c).)

The Clerk of Court is respectfully directed to terminate the letter motion at Dkt. 69.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: December 7, 2023
New York, New York

Copies transmitted this date to all counsel of record. The Court respectfully requests the Clerk of Court to mail a copy of this Order to the pro se Plaintiffs:

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